

THE SCHOOL LAW.

Interesting Lecture Delivered
by Supt. E. A. Wilson.

At the Final Meeting of Utah
County Teachers at Pay-
son Last Saturday.

The Free School Law Taken
to Pieces and Its Mechan-
ism Fully Explained.

I wish to preface my remarks on the subject at hand, by warning you that though I was gifted with the silver tongue of an orator I would not be able to make you grow with the aura of enthusiasm on a subject of this kind, for there is nothing more dry and prosy than the law in the abstract. It is merely a skeleton—minus the flesh and blood life—or the plans and specifications of the architect for a structure.

There is nothing more awakening than the law when there is a real, live human being in its meshes, striving to extricate himself, or when two or more litigants meet in battle upon its waves. But I say in the abstract the law is a very tame, a very pacific thing. Every institution of our social system is based upon law, either written or unwritten, either statutory or by common consent. And so our school system is founded in law. That which is statutory or has been enacted by the legislature of the nation or the Territory is legally binding upon us, as are also those rules and regulations made in pursuance of statutory law, but like other affairs the great mass of the proceedings in education are simply the outgrowth of common consent, or the survival of what is deemed the fittest in principles and methods.

The oceans and gulfs and streams are bounded with the earthly shore, but upon the waters we may row or sail at will. Just so the parents and teachers and officers are hedged about by the solid landmarks of the law, while the broad expanse is open for the working of our individuality.

Whatever you would have appear in the life of a nation you must first put into your schools, "heads good to-day as well as in all times past." "The boy is father to the man," and we must sow in his mind such seeds as we expect to germinate and grow in his riper years.

In the early days of the Territory the school system was necessarily somewhat crude, and depended entirely for support upon direct taxation and tuition fees. Later a territorial tax was levied for the payment of teachers, and the growth of this in 1890 came the public free school system under which we are now operating, and which it is now my purpose to discuss to-day.

The school officers are the territorial commissioners, the county superintendents, city superintendents in cities of the first and second class, members of the board of examiners, and school trustees. Besides these subordinate officers as may be appointed by the trustees.

It is the duty of the territorial commissioner to have general supervision of all the schools in the Territory, to visit the several counties at least once in each year, to apportion the territorial school moneys to the several counties, according to the school population in each, to compile school statistics, to carefully watch the operation of the school law, and report to the Governor each year, and legislature at each session, making such recommendations as he sees fit, and in fact to oversee and superintend the whole school system throughout the Territory. As you are aware the territorial commissioner is appointed by the Supreme Court of the territory, the office of territorial superintendent having been abolished by the law of 1887, but his duties are practically the same as the Federal law, but mainly by the law of the territory.

In each county there is elected a county superintendent who has the oversight and superintendency of the schools in the county, except those in cities of the first and second class, which have superintendents of their own. He is to look after the interests of the county, as the territorial commissioner does of the Territory, except in a more specific way. Briefly his duties consist in visiting the schools under his supervision, at least twice in each school year, advising and directing the teachers in regard to instructions given, methods employed, etc., keeping a record of all his visits, with an estimate of his opinion of the ability and competency of each teacher; to meet with school officers, at stated times, for the purpose of inspecting, reviewing, and suggesting methods of keeping accounts and preparing reports, to decide controversies pertaining to discipline appealed to him from the trustees; to see that all the branches required by law are taught, and to report to the board of examiners any teachers who refuse or fail to comply with this requirement. He is to compile reports from the trustees' district reports, and forward the same to the commissioner. He shall annually hold a teachers' institute of at least five days, employ instructors for the same, etc.

It may be proper to state here that there is no requirement in the school law, nor has there ever been, for these county associations, outside of the five days' summer institute just mentioned, but that this U. C. F. A. is, and has been a voluntary association. For the last few years the county superintendents and trustees, in their annual circular, have made it one of the duties of the teacher to be an active member of this association, and this year that point is embodied in the contract. But, irrespective of any law or rule, and simply for the light they shed on the teachers have taken and vigorously of the work of these meetings. So much by way of digression.

The next school officers we have is the board of examiners, which consists of the county superintendent and two other competent persons appointed by the county court. The duties of this board is to hold examinations at such times as the county superintendent

ent may direct, and to issue certificates of qualification of teachers. The certificates are of three grades. The first is good for five years, and is issued by the Territorial Commissioner upon the recommendation of this board. The second is good for two years, and the third for one year. The last two are issued by the board of examiners.

The board is to establish certain rules to govern them in the examination and issuance of certificates, and then are authorized to revoke the certificates in certain cases.

But the most important school officers, I take it, are the trustees, those who have the employing of teachers, the arrangement of the school houses, the care and custody of the little learners, the future men and women of the community. Probably the work of the trustees is, too, the most thankless of all our schools of all other officers.

They have to shoulder the whole load of responsibility that is laid upon them, and they must suffer to be goaded from all sides. It requires a fearless, level-headed man to make a good trustee.

The trustees have the "general charge, direction and management of the schools of the district, and the care, custody and control of the property belonging to the district." They are to organize and maintain schools, furnish fuel and all necessary supplies for the schools. They are also to employ teachers, and co-operate with them in the government and discipline of the schools. They are to call meetings of the taxpayers on questions of bonding, levying taxes, electing trustees, or for considering the purchase, exchange, sale or erection of school houses. The trustees shall also fix the length of time the schools shall be taught, and they may prescribe such studies to be pursued as do not violate the provisions of the school law. That is, all subjects mentioned in that law must be taught, and none of those forbidden can be pursued, but we are not limited there, and such other branches may be taught as are deemed expedient by the trustees.

"They shall cause trees to be set out and school grounds improved. They are also to keep an accurate journal of their proceedings and an account of all moneys received and disbursed. Indeed, their powers and duties are manifold, and need not be further repeated, being familiar to all.

What with the provisions of the school law, the requirements of the county circular and the stipulations in the contracts, the teachers have their course in general marked out. No other educational factor is so patent as the teacher. "As the teacher is, so is the school," is a trite thought, true expression. He it is who must gather nature's choicest gems and lay them at the feet of nature's noblest handiwork.

To enumerate the teacher's legal duties would be to spin but one thread of the web that he is to weave. So I will have to content myself with enumerating a very few of his duties, and then I shall be outside the limits of my subject.

The teacher is to notify the county superintendent of the time of commencing each term and the probable time when it will close; make a term report in duplicate at the end of each term, one to be filed with the trustees and one to be forwarded with the county superintendent; to teach pupils when they are sufficiently advanced, in the following branches: Reading, spelling, writing, arithmetic, language, lessons, grammar, geography, U. S. history and physiology and hygiene, and I might add, it is the teacher's bounden duty to watch with a mother's care over the children, as well as the mind and body of each little pilgrim that comes to worship at his shrine of knowledge.

The text books to be used are only those adopted by the convention of the teachers, the money, the books, the supplies called for that purpose, at stated times. No difference what may be the teacher's or the trustee's private opinion as to the worthiness of any text book, that opinion must be laid aside if it conflicts with the adopted course.

Now we come to touch upon the moving power behind the throne in all this system, and without which it could not exist for a day, namely the finances, the money, the cash.

The school revenue system is very simple and, in my opinion, very properly and equitably balanced. In the first place, the people have the power (and allow me to say, it is their moral duty) to levy the necessary taxes to furnish school facilities for all children residing in the school area, derived from this local tax is to be used exclusively for the building and furnishing of schools. If a revenue sufficient cannot be raised to supply the immediate wants in this regard there is a provision in the law for issuing bonds to raise the necessary funds, and thereby allow those who will probably share the burden of paying for the bonds as they become due the present privilege of enjoying the benefits.

The payment of teachers and the current expenses of running the schools come from another source. There is a standing territorial tax of 3 mills on the dollar on all property in the Territory. This is apportioned out to the several counties according to the number of children between 6 and 18 years of age residing in each. To this territorial fund each county is required to add by a special county school tax a sufficient sum to pay the teachers and current expenses as before mentioned. These two funds are to be apportioned to the districts according to school population, and the law provides that no district shall receive its apportionment unless schools have been maintained in the district at least twenty weeks during the next preceding school year.

The county court is required to lay off into school districts all territory embraced within the county, and may change the boundaries of any district for good cause shown.

"Every district school shall be open for the admission, free of charge, of all children over six and under eighteen years of age living in the district." That is the free school provision of our law. And there is a further compulsory attendance section which directs that all children between ten and fourteen years of age must attend school at least sixteen weeks in each school year.

I am fully aware, ladies and gentle-

men, that I have only been able to touch upon some points, which could be with profit more deeply considered, but I trust the imperfect outline I have traced will aid us in keeping in mind this scheme which looks to the broadening and strengthening of mind and heart and body.

The school law provides for a city school system in cities of the first and second class, that is those of over 20,000 and 5,000 inhabitants respectively—there are but three in the territory that come under its provision—Salt Lake, Provo and Ogden. The schools in each of these cities are under the control of a board of education, consisting of the mayor and two trustees from each municipal ward in cities of the first class, and one from each ward in cities of the second class. The board has all the powers exercised by trustees in other districts, and some additional ones, among them the authority to levy taxes for school purposes and to appoint a city superintendent and members of the city committee of examiners. Their organizations are distinct from that of the counties in which they are located and are not under the supervision of the county school officers. They, however, receive their proportion of all territorial and county school moneys. But in most particulars the city school system is similar to that of the other districts which have been outlined.

Let us, as school officers, and teachers, and patrons, watch with a careful eye the workings of this system to discover its weak or faulty points, if it has any, to the end that they may be corrected and to aid in the elevation and perfection of our school system until it shall be second to none in the Union.

THE STREET RAILWAY

The Directors Decide to
Bond the Road.

So as to Secure Capital to
Extend the Track to Other
Parts of the City.

The directors of the Provo Street Railroad Company held an important meeting in the Commercial Bank, Saturday afternoon, presided over by Mr. L. H. Hollenbeck, the company's full board present. The business that called them together was to consider the advisability of bonding the property of the company and opening the books for selling additional stock to allow the management to extend the line to other parts of the city. Mr. H. Owens, representing three Eastern loan syndicates, was present, and conferred with the board as to the immediate probability of placing the bonds on the market. The bonds, which will be ready in a few days, are for a term of thirty years, of \$500 denomination and draw interest at 5 percent.

There is now completed seven miles of track, and this together with steam locomotives, passenger cars, and an abundance of equipment for operating the line, is offered by the company to the first party that comes along and wants to make a good investment.

The object of the directors in floating their bonds is to get capital so as to enable them to go on to the different portions of the city. This is the object of the company, and possibly the connecting of some of the settlements with Provo, as also making other valuable improvements that have been under contemplation by the company for some time past, but which, on account of not having the necessary capital, have not been completed.

The unequalled position of Provo, not only as a commercial center, but as one of the greatest watering resorts of this western country, leaves no question of a doubt but what the bonds will be eagerly gobbled up by capitalists, watching for investment.

The line is now extended to the gravel beds in the eastern part of town, and the company, in a few days, will be hauling gravel on the streets, and will continue to do so until the whole city is paved or as fast as the line is extended to the different portions of the city. This is the object of the company, and possibly the connecting of some of the settlements with Provo, as also making other valuable improvements that have been under contemplation by the company for some time past, but which, on account of not having the necessary capital, have not been completed.

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MORE SCHOOL MONEYS.

Second Apportionment
Made by Supt. Wilson.

How Utah County is Helping
to Educate the Children of
Other Counties.

Superintendent E. A. Wilson has just completed the second apportionment of school moneys for the several districts in this county. The first apportionment, made on the 10th of last month, was as follows:

Provo	\$402.25
Springville	237.38
Spanish Fork	252.90
Lake Shore	405.61
Benjamin	348.34
Salem	605.92
Payson	142.86
Spring Lake	105.49
Santaquin	785.27
Goshen	495.26
Fairfield	110.90
Cedar Fort	292.61
Alpine	163.42
American Fork	411.18
Pleasant Grove	1714.97
Lake View	2883.74
Green View	251.50
Green View	148.77
Provo Beach	405.85
Thistle	283.63

Total \$20,000.00

The above apportionment included all of the county fund and one-half of the territorial school tax money for 1890, however, the other moiety was received from the territorial treasurer and Superintendent Wilson apportioned it as follows:

Provo	\$3295.10
Springville	2111.78
Spanish Fork	2059.54
Salem	496.97
Benjamin	283.63
Payson	1755.02
Spring Lake	89.43
Santaquin	651.48
Goshen	381.14
Fairfield	90.86
Cedar Fort	166.19
Lehi	1296.32
Alpine	326.82
American Fork	1404.90
Pleasant Grove	1523.78
Lake View	206.08
Green View	121.88
Provo Beach	352.39
Lake Shore	495.51
Thistle	190.79

Total \$17,197.79

Making a total amount apportioned to the schools of Utah county of \$38,197.79.

The total apportionment for Utah County of territorial school tax money arising from the three mills tax for 1890, as made by Territorial School Commissioner Jacob S. Borenman, upon the basis of \$4.45 per capita of persons of school age, amounts to \$43,851.25, against \$4,758.00, the amount of revenue paid in to the territorial treasury. In other words, Utah county last year paid in taxes \$10,577.37 net, and received as her school apportionment the difference between what she paid in taxes, and her apportionment of school moneys.

Now, then, let us see how it works with the other counties. Let us take the fat county of Cache, for instance. Her total territorial and school tax was \$20,014.35. In return she receives \$23,254 from the school commissioner; in other words, her schools get the benefit of not only all the taxes she paid, but \$3,239.61 more. Then take San Pete, another rich county, she paid as a total territorial and school tax last year, \$14,658.45. What does she receive as her school apportionment? The sum of \$20,741.28, or between six and seven thousand dollars more than she paid. In other words, the net sum of nearly one-half of her total tax! So that the benefits of the school law are readily appreciated.

Mormons sooner realize what this "Americanizing" process means, if two parties would discuss national questions from a party standpoint? Would it not put them to thinking on these questions? Would they not begin to consider to which of the two parties in their performance of their duties as citizens should attach themselves? It would seem so. Yet we have no parties, no organization as above indicated, whose doctrines and principles they can embrace, however much they should candidly and honestly desire to do.

As far as I am concerned, I am willing to give them the opportunity.

It is about time we quit living in the dead past. Let us take Mormons as we find them to-day. There are some Mormons whose acquaintance I have formed since I came here that I very much esteem. The Mormons and Gentiles form business relations; they intermarry; our Chamber of Commerce is composed of both; both give money to advertise the city to the Gentile world; both join in inviting Gentiles here. Now, when the invitation is accepted and the Gentile comes, is it right that he should begin a warfare on the Mormon, call him names, say he is disloyal, and urge his disfranchisement? I cannot go to that extreme.

Having these views, views that do not square with the ideas of the liberal party, and not wishing to embarrass the committee, I feel it my duty to step down and out.

Respectfully, A. SAXBY.
Provo, Utah, Feb. 23, 1891.

A GRAND SIGHT.

How the Recent Storm has
Piled Up the Ice.

A Crowd Goes Down to the
Lake to Witness one of
Nature's Pictures.

This afternoon a party, chaperoned by Superintendent Probert of the Street Railroad Company, and consisting of R. H. Dodd, Jacob F. Gates, Oscar B. Young, Col. Moore, H. E. Rawlings, Thos. Martin, Ike Fordonski, Ed. L. Jones, Jos. F. Thompson, Engineer De Moser, Don R. Coray, Charles Poynter, of Euroka, and H. B. Mann, of Salt Lake city, and THE DISPATCH man, went down to the lake. Col. Moore presided at the throttle, and how "Little Kate" did go! She fairly flew, and the passengers held their breath thinking every moment they would find themselves and the whole business off the track. The party finally arrived at the lake, and were permitted to behold one of the finest scenes that nature is in the habit of painting the regions nearer the North Pole than Provo is. Huge blocks of ice, weighing several tons, were piled several feet high, putting one in mind of the frigid region of Florida. "That's a sight that people would travel hundreds of miles to see!" said one of the party. It was indeed a sight that was never before witnessed to the company here in the winter of 1889-90, he was driving a herd of cattle from Battle Creek, when the ice on the lake shore stood in piles of twenty to thirty feet high.

The next good wind that comes the ice will just stack itself up. Joseph Thompson said he stood on the shore and watched it come in. He said when it cracked, it sounded like an earthquake, and almost made the earth tremble.

We understand the street car will make regular trips to the lake to allow the public to witness this grand sight. Due notice will be given.

A PLEASANT TRIP.
Made to Logan by the B. Y. Academy
Concert Company.

The Union Pacific special containing a party made up of the B. Y. Academy Glee Club, Choir and Orchestra, and faculty, in all some 75, left this city on Friday afternoon, at one o'clock, for Logan where they were by invitation to regale the people of that city with a choice musical feast. They arrived at their destination at 8:30 p. m., and were met at the depot by the Logan College faculty and students, and were conveyed to the College building, where Prof. J. M. Tanner made a speech of welcome. After this the whole party adjourned to the Palace Dancing Hall, an elegant building, equipped with electric lights, steam heating apparatus, opera chairs, large mirrors, etc., and said to be the finest structure of its kind in the Territory. Here the evening was spent in the maze of the dance.

Next day the town was visited in carriages, placed at the disposal of the party by the College Board. The Agricultural College was thoroughly visited, and everything connected therewith. Prof. Sanborn doing the honors in showing the party around. In the evening the concert company gave an entertainment in the Thatcher Opera House, said to be the finest of its kind in the Territory. The entertainment went off without a hitch, the remark being often made at the talent displayed, "we are happily surprised."

Most of the party left Logan Sunday morning, reaching here the same night. Others will have to wait until the settlements dropped off to visit them.

Prof. Keeler, speaking of the trip, told THE DISPATCH man that it was a most agreeable time, and that every body enjoyed themselves. He speaks in high terms of the energy of the people of Logan, as shown in the substantial and elegant buildings lately put up there.

Three inches of snow fell on Sunday morning at Logan.

The World Fulfilled.
The facilities of the present day for the production of everything that will conduce to the material welfare and comfort of mankind are almost unlimited and which Strup of Provo was first produced the world was enriched with the only perfect laxative known, as it is the only remedy which is truly pleasing and refreshing to the taste and prompt and effective to cleanse the system, ready in the Spring time or, in fact, at any time and the better it is known the more popular it becomes.

Again, will this fusion "Americanize" Utah? In other words, will it teach the Mormons (for it is the Mormons they are after) to be better informed with regard to their duties as citizens, to be better informed in the principles that the two great National parties are contending for and divided on, as the best for the interests of our common country? Would not the

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